

<b>United States Bankruptcy Court</b> <b>Northern District of Illinois</b>		<b>Voluntary Petition</b>																		
<b>Name of Debtor (if individual, enter Last, First, Middle):</b> <b>HMS &amp; Associates, Inc.</b>	<b>Name of Joint Debtor (Spouse) (Last, First, Middle):</b>																			
<b>All Other Names used by the Debtor in the last 6 years</b> (include married, maiden, and trade names):	<b>All Other Names used by the Joint Debtor in the last 6 years</b> (include married, maiden, and trade names):																			
<b>Soc. Sec./Tax I.D. No. (if more than one, state all):</b> <b>36-3404769</b>	<b>Soc. Sec./Tax I.D. No. (if more than one, state all):</b>																			
<b>Street Address of Debtor (No. &amp; Street, City, State &amp; Zip Code):</b> <b>700 Twisted Oak Lane</b> <b>Buffalo Grove, IL 60089-1409</b>	<b>Street Address of Joint Debtor (No. &amp; Street, City, State &amp; Zip Code):</b>																			
<b>County of Residence or of the Principal Place of Business:</b> <b>Lake</b>	<b>County of Residence or of the Principal Place of Business:</b>																			
<b>Mailing Address of Debtor (if different from street address):</b>	<b>Mailing Address of Joint Debtor (if different from street address):</b>																			
<b>Location of Principal Assets of Business Debtor</b> (if different from street address above):																				
<b>Information Regarding the Debtor (Check the Applicable Boxes)</b>																				
<b>Venue (Check any applicable box)</b> <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.																				
<b>Type of Debtor (Check all boxes that apply)</b> <input type="checkbox"/> Individual(s) <input type="checkbox"/> Railroad <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Stockbroker <input type="checkbox"/> Partnership <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Other _____	<b>Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box)</b> <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding																			
<b>Nature of Debts (Check one box)</b> <input type="checkbox"/> Consumer/Non-Business <input checked="" type="checkbox"/> Business	<b>Filing Fee (Check one box)</b> <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consent certifying that the debtor is unable to pay in installments. Rule 1006(b). See _____																			
<b>Chapter 11 Small Business (Check all boxes that apply)</b> <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101 <input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)	<b>Statistical/Administrative Information (Estimates only)</b> <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administered, there will be no funds available for distribution to unsecured creditors.																			
<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <th style="width: 25%;">Estimated Number of Creditors</th> <th style="width: 12.5%;">1-15</th> <th style="width: 12.5%;">16-49</th> <th style="width: 12.5%;">50-99</th> <th style="width: 12.5%;">100-199</th> </tr> <tr> <td></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>			Estimated Number of Creditors	1-15	16-49	50-99	100-199		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								
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**U.S. Bankruptcy Court**  
**Northern District of Illinois**  
**Received: 10/18/2004**  
**Time: 14:21:27**  
**Debtor: HMS & ASSOCIATES, INC**  
**Case: 04-38641 Fee: 209**  
**Chapter: 7 Rec. #: 3106706**  
**Judge: A Benjamin Goldgar**  
**341 mtg: 12/23/2004 @ 01:00PM**  
**Trustee: JOSEPH COHEN**



**Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

**HMS & Associates, Inc.****Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)**Location  
Where Filed:

Case Number:

Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)**

Name of Debtor:

Case Number:

Date Filed:

District:

Relationship:

Judge:

**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

X

Signature of Attorney

Signature of Attorney for Debtor(s)

**Martin J. Weisenburger**

Printed Name of Attorney for Debtor(s)

**Cohen, Weisenburger & Challos**

Firm Name

**79 W. Monroe Street, Suite 810**

Address

**Chicago, IL 60603-4984****(312) 853-0120**

Telephone Number

Date

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

**Glenn Simon**Printed Name of Authorized Individual  
President

Title of Authorized Individual

Date

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

☐ Exhibit A is attached and made a part of this petition.**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X

Signature of Attorney for Debtor(s)

Date

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.  
☐ No**Signature of Non-Attorney Petition Preparer**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

X

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

**Creditor List**

**LaSalle Bank, NA**  
135 S. LaSalle Street  
Chicago, IL 60603

**Internal Revenue Service**  
Kansas City, MO 64999

**Com-Ed**  
Bill Payment Center  
Chicago, IL 60668-0001

**Arlington Atrium, LLC**  
115 S. Wilke Rd-Suite 102  
Arlington Heights, IL 60005

**Beauti-Vue Products Corp.**  
8555 194<sup>th</sup> Avenue  
Bristol, WI 53140

**Home Depot Credit Svc**  
P.O. Box 6029  
The Lakes, NV 88901-6029

**Commercial Interior Specialists**  
348 W. Colfax Street  
Palatine, IL 60067

**The Designtex Group**  
P.O. Box 75610  
Chicago, IL 60675-5610

**Kimball International**  
P.O. Box 70068  
Chicago, IL 60673-0068

**Greenbaum & Leavitt**  
79 W. Monroe Street, Suite 912  
Chicago, IL 60603

**HiGrade Decorating Center**  
330 Bennett  
Elk Grove Village, IL 60007

**Shell Fleet**  
P.O. Box 9016  
Des Moines, IA 50368-9016

**Kravet Fabrics**  
c/o Bethune & Associates  
14435 N. 7<sup>th</sup> Street-Suite 201  
Pheonix, AZ 85022

**The Lock-up Storage Cntr**  
211 N. Elmhurst Road  
Wheeling, IL 60090

**McLeod USA**  
c/o Robert C. Olson  
3 Golf Center-Suite 352  
Hoffman Estates, IL 60195

**Seabrook Wallcoverings, Inc.**  
c/o Michael Davis Weis  
P.O. Box 1166  
Northbrook, IL 60065

**Thybony Wallcoverings**  
3720 N. Kedzie Avenue  
Chicago, IL 60618

**Nicor Gas**  
P.O. Box 2020  
Aurora, IL 60507-2020

**Warady & Davis, LLP**  
108 Wilmot Road-Suite 500  
Deerfield, IL 60015-5145

**Verizon Wireless**  
777 Big Timber Road  
Elgin, IL 60123

**Ford Motor Credit Corp.**  
P.O. Box 219825  
Kansas City, MO 64121-9825

**UNITED STATES BANKRUPTCY COURT**  
**Northern DISTRICT OF Illinois**

IN RE

**HMS & Associates, Inc.**

Debtor

Case No. \_\_\_\_\_  
(If known)

Chapter 7

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that the compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with this bankruptcy case is as follows:

For legal services, I have agreed to accept (\$13,000.00 fees & \$200.00 costs) \$ 1,500.00  
Prior to the filing of this statement I have received \_\_\_\_\_ \$ 1,500.00  
Balance Due \_\_\_\_\_ \$ -0-

2. The source of the compensation paid to me was:

☒ Debtor ☐ Other (specify)

3. The source of the compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members or associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;  
b. Preparation and filing of any petition, schedules, statements, and plan which may be required.  
c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;  
d. ~~Representation of the debtor in all matters relating to the bankruptcy case, including the preparation and filing of all pleadings, motions, and other documents.~~  
e. (other provisions as needed) \_\_\_\_\_

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services: Representation of debtor in adversary or other contested bankruptcy proceedings

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Date: 10/18/04

  
Martin J. Weisenburger  
Attorney for Debtor(s)

Name of Law firm Cohen, Weisenburger & Challos  
Address 79 W. Monroe-Suite 810  
Chicago, IL 60603-4984